

STROOCK

By Hand and ECF

May 7, 2014

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Honorable Robert P. Patterson, Jr.
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: Levin v. Bank of New York, et al., Case No. 09 Civ. 5900 (RPP) (MHD)

Dear Judge Patterson:

I write on behalf of the parties previously identified in these proceedings as the Greenbaum, Acosta, Heiser and Levin Judgment Creditors (the "Judgment Creditors") and pursuant to the Court's memo-endorsed Order entered on May 2, 2014 (Dkt. No. 963), which directed the Judgment Creditors to propose a schedule for formal submissions with respect to the turnover of an asset interpleaded in Phase Two of these proceedings and claimed by the Judgment Creditors and third-party defendant [REDACTED].

The Judgment Creditors are preparing such formal submissions, which will include a supplemental Local Rule 56.1 statement and a short memorandum of law responding to [REDACTED]'s April 17 letter application to the Court and supplementing the Judgment Creditors' motion for partial summary judgment on claims for turnover of Phase Two Blocked Assets (Dkt. No. 763).¹ Counsel for the Levin Judgment Creditors, who are located in Los Angeles and who will be lead counsel on this motion, have asked that any hearing on the motion be held, if possible, on July 11, a date when they can be in New York and personally appear before the Court.

¹ By Judgment and Order entered on October 10, 2013 (Dkt. No. 936), the Court directed the turnover of Phase Two Blocked Assets to the Judgment Creditors, incorporating by reference the Court's Opinion and Order of September 19, 2013 (Dkt. No. 925), which granted partial summary judgment to the Judgment Creditors on their claims for turnover of Phase Two Blocked Assets. By memo-endorsed Order dated October 15, 2013 (Dkt. No. 940), the Court clarified that its Judgment and Order of October 10 was stayed as regards the asset claimed by [REDACTED].

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I therefore respectfully request that the Court approve the following proposed schedule:

Judgment Creditors' opening papers filed by June 2
Answering papers filed by June 23
Reply papers filed by July 7
Hearing on the motion on July 11

Respectfully submitted,

/s/ Curtis C. Mechling

Curtis C. Mechling

cc: All counsel of record (by ECF with redaction)
Counsel for affected parties (by electronic mail without redaction)